

EXHIBIT 1

From: [Champion, Anne](#)
To: [Chew, Benjamin G.](#); [Meyers, Jessica N.](#); [Vasquez, Camille M.](#)
Cc: [Sollazzo Payne, Erica](#); [McCaffrey, Cate](#); [Crain, Lee R.](#)
Subject: RE: In re Application of Forensic News, No. 22-mc-347-AT
Date: Monday, January 30, 2023 4:03:28 PM
Attachments: [image005.png](#)

Dear Counsel:

Thank you for taking the time to meet and confer with us on Friday. Unfortunately, we were unable to come to any agreements that would narrow the disputed issues relating to the subpoena we have sought leave to serve on HSBC pursuant to 28 U.S.C. § 1782.

We understand from your papers that Mr. Soriano objects to the subpoena as unduly burdensome. However, when we asked you to explain what burden the subpoena would impose on your client, you responded by referencing an entirely different objection: that the subpoena was “overbroad.” We noted that burden and breadth are two different issues. We asked what the subpoena would require your client (as opposed to HSBC) to do as a practical matter—i.e., what actual burden the subpoenas would impose on your client, but you did not identify anything. (As we explained, the subpoena requires your client to do nothing—the discovery obligations would run against HSBC, which has not opposed our Section 1782 application on burden grounds).

We also understand that Mr. Soriano objects to the subpoena as overly broad. However, when we asked whether the subpoena could be narrowed to your satisfaction, you had no suggestions and said it was not your job to narrow the subpoena. When we specifically asked about the time period, which you had objected to as overbroad, and explained that HSBC has informed us that its document retention generally only goes back 7 years, and so the time frame of the documents produced would likely generally be less than what was requested, you did not believe this addressed Mr. Soriano’s objections, and you did not provide any guidance on what time frame you would consider appropriate. As for the scope of the requests, when we explained that the requests only seek financial records of those transactions of Mr. Soriano’s and USG’s that passed through HSBC USA, and not for example, emails, ESI, paper records, or any other documents or communications of Mr. Soriano’s that might be in the possession of HSBC USA, you were not satisfied by this limited scope. Indeed, you made clear that you did not think the subpoena should issue at all so you were not willing to discuss whether it could be narrowed to address Mr. Soriano’s alleged concerns.

You also mentioned you consider the documents sought irrelevant. We respectfully disagreed for the reasons set out in our application papers.

Finally, we explained our position that we consider it improper and inefficient to litigate this matter simultaneously in two countries. We requested that Mr. Soriano withdraw his UK anti-suit application (which seeks to quash our American § 1782 application). In exchange, we offered to consent to Mr. Soriano’s motion to intervene so the parties could litigate this dispute over discovery under § 1782 in a U.S. federal court. However, you made it clear that Mr. Soriano intends to continue to litigate these issues in two fora. You offered no specific reasons for this.

While it does not appear that any further meet and confer would be productive in resolving Mr. Soriano’s objections to the subpoena, we are certainly available if you disagree.

Best regards,
Anne Champion

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From: Chew, Benjamin G. <BChew@brownrudnick.com>
Sent: Wednesday, January 25, 2023 10:32 AM
To: Crain, Lee R. <LCrain@gibsondunn.com>; Meyers, Jessica N. <JMeyers@brownrudnick.com>; Vasquez, Camille M. <CVasquez@brownrudnick.com>
Cc: Champion, Anne <ACHampion@gibsondunn.com>; Sollazzo Payne, Erica <EPayne@gibsondunn.com>; McCaffrey, Cate <CMcCaffrey@gibsondunn.com>
Subject: RE: In re Application of Forensic News, No. 22-mc-347-AT

[WARNING: External Email]

Excellent, Lee, many thanks! Best, Ben



Benjamin G. Chew

Partner

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From: Crain, Lee R. <LCrain@gibsondunn.com>
Sent: Wednesday, January 25, 2023 9:48 AM
To: Chew, Benjamin G. <BChew@brownrudnick.com>; Meyers, Jessica N. <JMeyers@brownrudnick.com>; Vasquez, Camille M. <CVasquez@brownrudnick.com>
Cc: Champion, Anne <ACHampion@gibsondunn.com>; Sollazzo Payne, Erica <EPayne@gibsondunn.com>; McCaffrey, Cate <CMcCaffrey@gibsondunn.com>

Subject: RE: In re Application of Forensic News, No. 22-mc-347-AT

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Thanks, Ben – just sent you an invite for 2PM on Friday.

Best,

Lee

Lee Crain

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From: Chew, Benjamin G. <BChew@brownrudnick.com>

Sent: Wednesday, January 25, 2023 7:21 AM

To: Crain, Lee R. <LCrain@gibsondunn.com>; Meyers, Jessica N. <JMeyers@brownrudnick.com>;
Vasquez, Camille M. <CVasquez@brownrudnick.com>

Cc: Champion, Anne <AChampion@gibsondunn.com>; Sollazzo Payne, Erica
<EPayne@gibsondunn.com>; McCaffrey, Cate <CMcCaffrey@gibsondunn.com>

Subject: Re: In re Application of Forensic News, No. 22-mc-347-AT

[WARNING: External Email]

Good morning, Lee,

We can do Friday anytime at or after 10:00 a.m. Please let us know what time works best and send a dial-in.

Best regards,

Ben

Sent from my iPhone

On Jan 24, 2023, at 12:06 PM, Chew, Benjamin G.
<BChew@brownrudnick.com> wrote:

Good afternoon, Lee,

Apologies for the delay in responding, as today has been drinking water through the proverbial fire hose.

5:00 p.m. would work for me, if you would please call me on my cell: (202) 413-2747 or send a call-in number.

Best regards,

Ben

<image001.jpg>

Benjamin G. Chew

Partner

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<image002.jpg>
<image003.png>

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From: Crain, Lee R. <LCrain@gibsondunn.com>
Sent: Monday, January 23, 2023 11:57 AM
To: Chew, Benjamin G. <BChew@brownrudnick.com>; Meyers, Jessica N. <JMeyers@brownrudnick.com>; Vasquez, Camille M. <CVasquez@brownrudnick.com>
Cc: Champion, Anne <AChampion@gibsondunn.com>; Sollazzo Payne, Erica <EPayne@gibsondunn.com>; McCaffrey, Cate <CMcCaffrey@gibsondunn.com>
Subject: RE: In re Application of Forensic News, No. 22-mc-347-AT

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Thanks, Ben – any chance you have time between 10-12 tomorrow morning? We could also do between 4:30-5:30.

Lee

Lee Crain

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From: Chew, Benjamin G. <BChew@brownrudnick.com>
Sent: Monday, January 23, 2023 9:27 AM
To: Meyers, Jessica N. <JMeyers@brownrudnick.com>; Crain, Lee R. <LCrain@gibsondunn.com>; Vasquez, Camille M. <CVasquez@brownrudnick.com>
Cc: Champion, Anne <AChampion@gibsondunn.com>; Sollazzo Payne, Erica <EPayne@gibsondunn.com>; McCaffrey, Cate <CMcCaffrey@gibsondunn.com>
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[WARNING: External Email]

Good morning, Lee,

I am available to speak at 2:00 p.m. tomorrow.

You may reach me on my cell at (202) 413-2747.

Very truly yours,

Ben

<image001.jpg>

Benjamin G. Chew

Partner

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<image002.jpg>
<image004.png>

Please consider the environment before printing this e-mail

From: Meyers, Jessica N. <JMeyers@brownrudnick.com>
Sent: Friday, January 20, 2023 6:07 PM
To: Crain, Lee R. <LCrain@gibsondunn.com>; Chew, Benjamin G. <BChew@brownrudnick.com>; Vasquez, Camille M. <CVasquez@brownrudnick.com>
Cc: Champion, Anne <AChampion@gibsondunn.com>; Sollazzo Payne, Erica <EPayne@gibsondunn.com>; McCaffrey, Cate <CMcCaffrey@gibsondunn.com>
Subject: RE: In re Application of Forensic News, No. 22-mc-347-AT

Hi Lee,

I will be in a deposition all day on Monday. I can make Tuesday morning work, but defer to my colleagues Ben and Camille on their availability.

Best,
Jess

<image001.jpg>

Jessica N. Meyers

Counselor at Law
(she / her / hers)

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From: Crain, Lee R. <LCrain@gibsondunn.com>
Sent: Friday, January 20, 2023 5:51 PM
To: Meyers, Jessica N. <JMeyers@brownrudnick.com>; Chew, Benjamin G. <BCheW@brownrudnick.com>; Vasquez, Camille M. <CVasquez@brownrudnick.com>
Cc: Champion, Anne <ACHampion@gibsondunn.com>; Sollazzo Payne, Erica <EPayne@gibsondunn.com>; McCaffrey, Cate <CMcCaffrey@gibsondunn.com>
Subject: In re Application of Forensic News, No. 22-mc-347-AT

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Counsel – we write regarding your filings tonight in *In re Application of Forensic News*. We would like to schedule a meet and confer on Monday, January 23 at 1 PM to discuss whether the parties can reach agreement on Mr. Soriano’s request to intervene and his objections to the discovery sought. If that time does not work, please identify a time that does.

Best,

Lee
Lee Crain

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